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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/518,098	03/03/00	SHAPIRO	L 114232.107

021269  
PEPPER HAMILTON  
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600 FOURTEENTH STREET NW  
WASHINGTON DC 20005

HM22/0110

EXAMINER

LUKTON, D

ART UNIT

PAPER NUMBER

1653

DATE MAILED: 01/10/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trad marks**

UNITED STATES DEPARTMENT OF COMMERCE  
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EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

4

Please find below a communication from the EXAMINER in charge of this application.


Commissioner of Patents

Please see the attached pages regarding the amino acid sequence listing.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lukton [phone number (703)308-3213].

An inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.



DAVID LUKTON  
PATENT EXAMINER  
GROUP 1800

Applicants' attempt to comply with the sequence rules is acknowledged. However, there are errors in the submission. Attached is a copy of the "CRF diskette problem report". The statement handwritten by the sequence reviewer is reproduced below:

"Two diskettes were submitted. Each diskette contained files of one sequence each.

No sequence listing was submitted.

Per 1.824(a)(1) of the sequence rules:

'The computer readable form shall contain a single sequence listing...'

DO NOT submit individual sequence files.

See sample sequence listing attached in back".

09/518 098

Application No.: \_\_\_\_\_

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

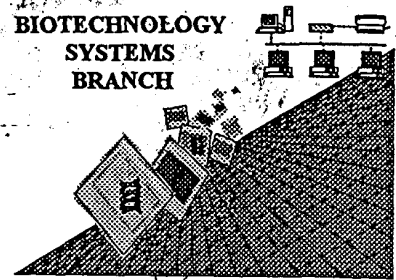
Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**

# CRF Diskette Problem Report

BIOTECHNOLOGY  
SYSTEMS  
BRANCH



The Scientific and Technical Information Center (STIC) experienced a problem when processing the following CRF diskette:

Application Serial Number:

09/518,098

Filing Date:

3/3/2000

Classification:

1

Date Processed by STIC:

3/22/2000

Point-of-Contact/Telephone No.: Mark Spencer 703 - 308 - 4212

## Nature of Problem:

The diskette was:

☐ Damaged

☐ Unreadable

☐ Blank (no files present on diskette)

☐ Contained an empty file (filename present, but no bytes in file)

☐ A computer virus was detected on the diskette. The STIC will not process the diskette through the Data Capture System.

Name of virus: \_\_\_\_\_

☐ The Sequence Listing was not saved in ASCII (DOS) text.

☒ The diskette contained an error that disrupted normal processing:

*Two diskettes were submitted. Each diskette contained files of one sequence each. No sequence listings were submitted. Per 1.824 (a)(1) of*

*sequence rules, "The computer-readable form shall contain a single "Sequence Listing"... "DO NOT submit individual sequence files."*

*See sample  
sequence  
Listing  
attached on  
back*

09/578,098

SEQ-161	APP	558	03-02-00	1:47p	SEQ-161.APP
SEQ17	TXT	5	03-02-00	12:01p	seq17.txt
SEQ-171	APP	558	03-02-00	1:47p	SEQ-171.APP
SEQ18	TXT	5	03-02-00	12:01p	seq18.txt
SEQ-181	APP	558	03-02-00	1:47p	SEQ-181.APP
SEQ2	TXT	5	03-02-00	11:49a	seq2.txt
SEQ-21	APP	557	03-02-00	1:42p	SEQ-21.APP
SEQ3	TXT	5	03-02-00	11:50a	seq3.txt
SEQ-31	APP	557	03-02-00	1:42p	SEQ-31.APP
SEQ4	TXT	5	03-02-00	11:51a	seq4.txt
SEQ-41	APP	557	03-02-00	1:42p	SEQ-41.APP
SEQ5	TXT	5	03-02-00	11:51a	seq5.txt
SEQ-51	APP	557	03-02-00	1:43p	SEQ-51.APP
SEQ6	TXT	5	03-02-00	11:52a	seq6.txt
SEQ-61	APP	557	03-02-00	1:43p	SEQ-61.APP
SEQ7	TXT	5	03-02-00	11:52a	seq7.txt
SEQ-71	APP	557	03-02-00	1:43p	SEQ-71.APP
SEQ8	TXT	5	03-02-00	11:53a	seq8.txt
SEQ-81	APP	558	03-02-00	1:44p	SEQ-81.APP
SEQ9	TXT	5	03-02-00	11:54a	seq9.txt
SEQ-91	APP	557	03-02-00	1:44p	SEQ-91.APP

36 file(s)  
0 dir(s)

10,126 bytes  
1,430,016 bytes free

*partial listing of files on Disk 1*

09/518,098

SEQUENCE LISTING

<110> Shapiro, Leland  
<120> Inhibitors of Serine Protease Activity, Methods and  
Compositions For Treatment of Viral Infections  
<130> 114232-101 Sequence 10  
<140> 60/137,795  
<141> 1999-06-03  
<160> 1  
<170> PatentIn Ver. 2.1  
<210> 1  
<211> 5  
<212> PRT  
<213> Homo sapiens  
<400> 1  
Phe Leu Phe Phe Ile  
1 5

*Sample 1 one file on Disk 1*

## Appendix A To Subpart G to Part 1—Sample Listing

&lt;110&gt; Smith, John

Smith, Jane

## &lt;120&gt; Example of a Sequence Listing

&lt;130&gt; 01-00001

&lt;140&gt; US 08/999,999

&lt;141&gt; 1998-02-28

&lt;150&gt; EP 91000000

&lt;151&gt; 1997-12-31

Please consult

<160> 2

<170> PatentIn ver. 2.0

<210> 1

<211> 403

<212> DNA

<213> Paramecium aurelia

<220>

<221> CDS

<222> 341..394

<300>

<301> Doe, Richard

<302> Isolation and Characterization of a Gene Encoding a

Protease from Paramecium sp.

<303> Journal of Fictional Genes

<304> 1

<305> 4

<306> 1 - 7

<307> 1988-06-20

<400> 1

ctactctact ctactctcat ctactatctt ctttggatct ctgagtctgc ctgagtggta 60

ctcttgagtc ctggagatct ctctctcac atgtgatcgt cgagactgac cgatagatcg 120

ctgactgact ctgagatagt cgagcccgta cgagaccgt cgagggtgac agagagtggg 180

cgcgtagcgcg cagagcgccg cgccggtgcg cgcgcgagtg cgcggtgggc cgcgcgaggg 240

ctttcgggc agcggcggcg ctttcggcg cgcgccgtc cgcccctaga cctgagaggt 300

cttctcttcc ctctcttca ctagagaggt ctatatatac atg gtt tca atg ttc 355

Met Val Ser Met Phe

agc ttg tct ttc aaa tgg cct gga ttt tgt ttg ttt gtt tgtttgcgc 403

Ser Leu Ser Phe Lys Trp Pro Gly Phe Cys Leu Phe Val

- 10

15

<210> 2

<211> 18

<212> PRT

<213> *Paramecium aurelia*

<400> 2

Met Val Ser Met Phe Ser Leu Ser Phe Lys Trp Pro Gly Phe Cys Leu

1

5

10

15

Phe Val

ed: May 22, 1998.

A. Lehman,

ant Secretary of Commerce and  
issioner of Patents and Trademarks.

oc. 98-14194 Filed 5-29-98; 8:45 am]

3 CODE 3510-16-C

identifiers and their accompanying information as shown in the following table. The numeric identifier shall be used only in the "Sequence Listing." The order and presentation of the items of information in the "Sequence Listing" shall conform to the arrangement given below. Each item of information shall begin on a new line and shall begin with the numeric identifier enclosed in angle brackets as shown. The submission of those items of information designated with an "M" is mandatory. The submission of those items of information designated with an "O" is optional. Numeric identifiers <110> through <170> shall only be set forth at the beginning of the "Sequence Listing." The following table illustrates the numeric identifiers.

Numeric Identifier	Definition	Comments and Format	Mandatory (M) or Optional (O)
<110>	Applicant	Preferably max. of 10 names; one name per line; preferable format: Surname, Other Names, and/or Initials	M
<120>	Title of Invention		M
<130>	File Reference	Personal file reference	M when filed prior to assignment of appl. number
<140>	Current Application Number	Specify as: US 07/999,999 or PCT/US96/99999	M, if available
<141>	Current Filing Date	Specify as: yyyy-mm-dd	M, if available
<150>	Prior Application Number	Specify as: US 07/999,999 or PCT/US96/99999	M, if applicable include priority documents under 35 USC 119 and 120
<151>	Prior Application Filing Date	Specify as: yyyy-mm-dd	M, if applicable
<160>	Number of SEQ ID NOs	Count includes total number of SEQ ID NOs	M
<170>	Software	Name of software used to create the Sequence Listing	O
<210>	SEQ ID NO:#:	Response shall be an integer representing the SEQ ID NO shown	M
<211>	Length	Respond with an integer expressing the number of bases or amino acid residues	M

<212>	Type	Whether presented sequence molecule is DNA, RNA, or PRT (protein). If a nucleotide sequence contains both DNA and RNA fragments, the type shall be "DNA." In addition, the combined DNA/RNA molecule shall be further described in the <220> to <223> feature section.	M
<213>	Organism	Scientific name, i.e. Genus/species, Unknown or Artificial Sequence. In addition, the "Unknown" or "Artificial Sequence" organisms shall be further described in the <220> to <223> feature section.	M
<220>	Feature	Leave blank after <220>. <221-223> provide for a description of points of biological significance in the sequence.	M, under the following conditions: if "n," "Xaa," or a modified or unusual L-amino acid or modified base was used in a sequence; if ORGANISM is "Artificial Sequence" or "Unknown"; if molecule is combined DNA/RNA.
<221>	Name/Key	Provide appropriate identifier for feature, preferably from WIPO Standard ST.25 (1998), Appendix 2, Tables 5 and 6	M, under the following conditions: if "n," "Xaa," or a modified or unusual L-amino acid or modified base was used in a sequence
<222>	Location	Specify location within sequence; where appropriate state number of first and last bases/amino acids	M, under the following conditions: if "n," "Xaa," or a modified or unusual L-amino acid or modified

		in feature	base was used in a sequence
<223>	Other Information	Other relevant information; four lines maximum	M, under the following conditions: if "n," "Xaa," or a modified or unusual L-amino acid or modified base was used in a sequence; if ORGANISM is "Artificial Sequence" or "Unknown"; if molecule is combined DNA/RNA.
<300>	Publication Information	Leave blank after <300>	0
<301>	Authors	Preferably max of ten named authors of publication; specify one name per line; preferable format: Surname, Other Names and/or Initials	0
<302>	Title		0
<303>	Journal		0
<304>	Volume		0
<305>	Issue		0
<306>	Pages		0
<307>	Date	Journal date on which data published; specify as yyyy-mm-dd, MMM-yyyy or Season-yyyy	0
<308>	Database Accession Number	Accession number assigned by database including database name	0
<309>	Database Entry Date	Date of entry in database; specify as yyyy-mm-dd or MMM-yyyy	0
<310>	Patent Document Number	Document number; for patent-type citations only. Specify as, for example, US 07/999,999	0

<311>	Patent Filing Date	Document filing date, for patent-type citations only; specify as yyyy-mm-dd	O
<312>	Publication Date	Document publication date, for patent-type citations only; specify as yyyy-mm-dd	O
<313>	Relevant Residues	FROM (position) TO (position)	O
<400>	Sequence	SEQ ID NO should follow the numeric identifier and should appear on the line preceding the actual sequence	M

5. Section 1.824 is revised to read as follows:

1.824 Form and format for nucleotide and/or amino acid sequence submissions in computer readable form.

(a) The computer readable form required by 1.821(e) shall meet the following specifications:

(1) The computer readable form shall contain a single "Sequence Listing" as either a diskette, series of diskettes, or other permissible media outlined in paragraph (c) of this section.

(2) The "Sequence Listing" in paragraph (a) (1) of this section shall be submitted in American Standard Code for Information Interchange (ASCII) text. No other formats shall be allowed.

(3) The computer readable form may be created by any means, such as word processors, nucleotide/amino acid sequence editors or other custom computer programs; however, it shall conform to all specifications detailed in this section.

(4) File compression is acceptable when using diskette media, so long as the compressed file is in a self-extracting format that will decompress on one of the systems described in paragraph (b) of this section.

(5) Page numbering shall not appear within the computer readable form version of the "Sequence Listing" file.

(6) All computer readable forms shall have a label permanently affixed thereto on which has been hand-printed or typed: the name of the applicant, the title of the invention, the date on which the data were recorded on the computer readable form, the operating system used, a reference number, and an application serial number and filing date, if known.

(b) Computer readable form submissions must meet these format requirements:

(1) Computer: IBM PC/XT/AT, or compatibles, or Apple Macintosh;

(2) Operating System: MS-DOS, Unix or Macintosh;